

Westfield-Washington Advisory Plan Commission held a meeting on Monday, December 6, 2010 scheduled for 7:00 PM at the Westfield City Hall.

**Opening of Meeting: 7:00 PM**

**Roll Call:** Note Presence of a Quorum

**Commission Members Present:** Robert Smith, Dan Degnan, Cindy Spoljaric, Steve Hoover, Bob Horkay, Bill Sanders, Danielle Tolan, and Bob Spraeztz

**City Staff Present:** Matthew Skelton, Director; Kevin Todd, Senior Planner; Andrew Murray, Planner; and Brian Zaiger, City Attorney

**Approval of the Minutes:**

Motion to approve minutes of November 15, 2010 as presented.

Motion: Hoover; Second: Spoljaric; Vote: Passed by Voice Vote

Todd reviewed the Advisory Plan Commission Rules of Procedure.

**MISCELLANEOUS ITEMS OF BUSINESS**

Todd presented the 2011 Advisory Plan Commission meeting schedule, TAC meeting schedule and various deadlines.

Motion to approve 2011 Advisory Plan Commission Meeting Schedule as presented.

Motion: Hoover; Second: Spraeztz; Vote: Passed by Voice Vote

Todd presented the details of the Wilfong Land Development waiver which is a reduction of the notice requirement to the property owners along the perimeter of the project.

Mr. Jon Dobosiewicz gave some background on the waiver.

Degnan stated previously the Commission had considered including the waiver considerations in the PUD Ordinance.

Motion to approve waiver of the public notice mailing requirement for a change in zoning request to reduce number of property owners adjacent and to allow first class mail.

Motion: Horkay; Second: Spoljaric; Vote: 5-3 (Degnan, Sanders, Tolan)

Request to delegate secondary plat approval of the Custom Commerce Park Secondary Plat to the Community Development Director.

1  
2 Skelton discussed the request to delegate secondary plat approval to staff..  
3

4 Motion to approve delegation of secondary plat approval of the Custom Commerce Park Secondary Plat  
5 to the Community Development Director.  
6

7 Motion: Hoover; Second: Horkay; Vote: 8-0  
8

9 Hoover suggested that the Commission consider revising the notification mailing requirements at  
10 a future meeting so that items like the Wilfong waiver request do not need to come to the APC  
11 for approval.  
12

13  
14 **ITEMS OF BUSINESS**  
15

16 Case No. 1001-PUD-01 - Request for suspension of rules to continue.  
17

18 Petitioner Estridge Development Company  
19

20 Description 146<sup>th</sup> Street and Towne Road; Petitioner requests a change in zoning on approximately  
21 1,409 acres from the AG-SF1, SF-2 and Centennial North PUD districts to the Symphony  
22 PUD District.

23 Smith stated the six month deadline for this proposal is approaching and the petitioner has requested to  
24 extend the deadline so that a modified proposal could be brought forth without having to begin the  
25 process again.

26 Todd stated that the APC Rules of Procedure state that no continuance beyond six months of the public  
27 hearing shall be granted; however the petitioner is requesting an extension of 90 days to March 21, 2011.  
28

29 Mr. Joe Calderon, speaking on behalf of Estridge, requested the extension since there have been some  
30 proposed changes to the alignment of 146<sup>th</sup> Street which would affect the proposed project.  
31

32 Horkay requested a notice go out to the property owners, using first class mail, when this project is  
33 coming back before the Commission.  
34

35 Motion to approve suspension of the APC Rules of Procedure to allow the petitioner up to March  
36 21, 2010 to appear before the APC with a revised plan, with the understanding that a first class  
37 mailing will be sent to the neighbors within either 660 feet of the project perimeter or two  
38 properties deep (whichever is less) at least ten (10) days before the APC meeting, and also with  
39 the understanding that the Commission will take public comment the next time this case is before  
40 them, even though the official public hearing has already been held.  
41

42 Motion: Horkay; Second: Spoljaric; Vote: 8-0  
43

44 Case No. 1009-DP-09 & 1009-SIT-07  
45

46 Petitioner Daniel DeLullo  
47

48 Description 4160 State Road 32 West; Petitioner requests a Development Plan Review and Site Plan  
49 Review for a new parking lot on approximately 1.3 acres in the GB District.

1 Todd reviewed the details of the petition, which includes a new parking lot and the associated required  
2 landscaping. He also discussed a waiver request for site access and circulation requirements, specifically  
3 a pedestrian pathway requirement along the perimeter. He added that Staff is in support of the waiver  
4 request because INDOT is currently designing changes to SR 32, and it is anticipated that this area will be  
5 impacted as well.

6  
7 Spoljaric stated this parcel is not included in the SR 32 overlay.

8  
9 Horkay requested a condition be added that should there be a trail constructed in the future, the petitioner  
10 would be expected to install the portion on this property.

11  
12 Motion to grant waiver regarding 1009-DP-09 & 1009-SIT-07 with the following condition:

- 13  
14 • That upon such time that the City deems the installation of the pathway necessary, the  
15 owner shall be required to install the pathway per the City's specifications.

16  
17 Motion: Horkay; Second: Sanders; Vote: 8-0

18  
19 Motion to approve 1009-DP-09 and 1009-SIT-07 with the following condition:

- 20  
21 • That all necessary approvals and permits be obtained from the Westfield Public Works  
22 Department, the Hamilton County Surveyor's Office, and the Hamilton County Health  
23 Department prior to the issuance of a Certificate of Compliance for the use of the parking  
24 lot.

25  
26 Motion: Hoover; Second: Sanders; Vote: 8-0

27  
28  
29 Case No. 1010-PUD-11  
30 Petitioner Pulte Homes of Indiana  
31 Description Southeast Corner of 161<sup>st</sup> and Oak Ridge Road; Petitioner requests  
32 amendments to the development standards of the Viking Meadows PUD.  
33

34 Smith offered to open the meeting up for public comment.

35  
36 Todd discussed the changes since the November 15, 2010 Advisory Plan Commission meeting, noting  
37 that Parcels E & F have been removed from the proposal; standards for some of the lots in Parcel B (Two  
38 Gaits) have been enhanced; the masonry requirements have been revised; the garage requirements have  
39 been revised, and a standard restricting direct access to the Monon Trail was included.

40  
41 Mr. Steve Hardin, Baker & Daniels, specifically stated that in anticipation of development in the future,  
42 two lots added in the model home area. He also stated that Pulte has agreed to the staff's request to add  
43 the required verbiage, "Of Westfield" or "Westfield, Indiana" to existing subdivision signage.

44  
45 Smith opened the meeting for public comment.

46  
47 Mr. Randy Zentz stated that he is available for any questions related to the survey.  
48

1 Mr. David Brooks, representing Scoviaks, asked the Commission not to approve the proposed changes for  
2 Two Gaits (Parcel B).

3  
4 Mr. Greg Cradick challenged the need to reduce the home values and stated that what is in place is valid.  
5 He also asked for clarification regarding the garage verbiage, believing that some of the language is  
6 manipulative.

7  
8 Mr. Bill Wall expressed concern in the change of the model homes section since two of the additional  
9 model homes would be directly across from his home.

10  
11 Mr. David Compton, Pulte Homes, responded to public comments and discussed the reasons for  
12 additional models, stating that Pulte will not necessarily need to build the additional model homes, but  
13 desired the flexibility to add new models in the future if needed.

14  
15 Hoover stated that his decision is based on all of the input that has been received and what he believes is  
16 the best overall proposal. He further stated that there have been compromises on both sides, and he  
17 believes that the amended PUD has advantages over the original PUD.

18  
19 Spoljaric agrees with Hoover that there are a lot of things that are potentially improved in some of the  
20 PUD language; however, she expressed concern that there are still many issues that she is uncomfortable  
21 with. She also stated that she hopes Pulte continues to work with the Homeowner's Association.

22  
23 Horkay stated that he is not convinced that the PUD amendment has been developed as fully as it could,  
24 and that a lot of important things are missing that should have been accomplished in an agreement.

25  
26 Degnan stated his support for the amendment, but also has significant concerns.

27  
28 Smith believes that the majority of the neighbors are in favor of the proposal over the alternative, so he  
29 expressed his support of this proposal.

30  
31 Sanders questioned whether whether the changes are being made to accommodate a better neighborhood  
32 or if they are being made to try to accommodate current economic conditions.

33  
34 Spraetz stated that he is reluctant, but is leaning toward a favorable vote.

35  
36 Motion to send 1010-PUD-11 to the Westfield City Council with a positive recommendation.

37  
38 Motion: Hoover; Second: Spraetz; Vote: 5-3 (Horkay, Sanders, Spoljaric)

39  
40  
41 Case No. 1007-PUD-09

42 Petitioner Ramsey Development Corp.

43 Description Southeast corner of 151<sup>st</sup> Street and Carey Road; Petitioner requests an amendment to  
44 the Bridgewater PUD to allow for Assisted Living and Medical/Office on approximately  
45 18 acres.

46  
47 Todd discussed the proposal, which is to modify the standards in the Bridgewater PUD Ordinance,  
48 specifically the concept plan and the standards which would govern this site. He added that the petitioner  
49 is looking to limit the uses to four uses, including assisted living, independent living, medical office, and

1 general office. He further added that the development standards would be the same as those in Area Z of  
2 the Bridgewater PUD Ordinance with a few minor exceptions, including perimeter landscaping standards  
3 and parking standards which are consistent with the standards for Area Y (the Bridgewater Marketplace).

4  
5 Mr. Steve Henke, Throgmartin-Henke Development, stated that the 20 acres to the south was zoned  
6 commercial. He further stated they have looked at other facilities for independent living and believe this  
7 fits perfectly in this area.

8  
9 Spoljaric asked for information on the maximum building square footage and number of dwelling units.

10  
11 Mr. Tim Huber, Ramsey Development, responded that the proposed building is for 95 total units in two  
12 stories. He added the facility would be composed of one room efficiencies, one bedroom units, and two  
13 bedroom units. He further added that the total square footage of the building will be less than 95,000  
14 square feet.

15  
16 Spoljaric asked about size of the office buildings.

17  
18 Henke stated he expects that the office buildings will all be similar in size and that he does not expect  
19 them to be large medical buildings. He stated that he expects them to be more neighborhood-type office  
20 buildings. He further stated that they have no problem with the Commission putting limits on the size of  
21 the buildings.

22  
23 Spoljaric asked if staff could get the Commission copies of the Area Y and Z development and  
24 architectural standards.

25  
26 Skelton responded yes.

27  
28 A Public Hearing opened at 8:26 p.m.

29  
30 Ms. Annette Coolum expressed concern about expanding the commercial zoning beyond what is called  
31 for in the Comprehensive Plan; however, if the PUD is explicit in allowing medical/professional only in  
32 this section and prohibit retail and big boxes from coming in later, then she could support this change to  
33 the PUD as presented.

34  
35 The Public Hearing closed at 8:29 p.m.

36  
37 Henke committed to no retail and no big box retail on this property.

38  
39 Hoover would like to see an interpretation from staff regarding this proposal. He further added that some  
40 changes regarding size and use restrictions will be required to make the Commission comfortable with  
41 this proposal.

42  
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44  
45  
46  
47 Case No. 1011-DP-12 & 1011-SIT-10

48 Petitioner City of Westfield

49 Description 800 East Main Street; Petitioner requests a Development Plan Review and Site Plan

1 Review for an approximately 5,000 square-foot building, located on approximately 0.8  
2 acre in the LB District.  
3

4 Todd stated that this item has been continued because it must go before the Board of Zoning  
5 Appeals first.  
6

7 **STAFF COMMENTS**  
8

9 Todd stated that the Commission is scheduled to meet on December 20, 2010. He further stated  
10 that originally there was an APC meeting scheduled for January 3, 2011; however, staff has  
11 learned that City offices will be closed on January 3, 2011 in observance of the New Year's Day  
12 holiday, and that the meeting has been rescheduled to January 4, 2011.  
13

14 **ADJOURNMENT** (8:35 p.m.)  
15

16 Approved (date)  
17

18 \_\_\_\_\_  
19 President, Robert Smith, Esq.  
20

21 \_\_\_\_\_  
22 Vice President, Cindy Spoljaric  
23

24 \_\_\_\_\_  
25 Secretary, Matthew S. Skelton, Esq.